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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,184	11/25/2003	Laurence Burlacot	033818-025	4214

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EXAMINER

FISCHER, JUSTIN R

ART UNIT	PAPER NUMBER
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1733

DATE MAILED: 01/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Notice of Allowability

Application No.

10/720,184

Examiner

Justin R. Fischer

Applicant(s)

BURLACOT, LAURENCE

Art Unit

1733

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 28 November 2005.
2. ☒ The allowed claim(s) is/are 1-4 and 6-21 (renumbered 1-20).
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Alan Kopecki on December 8, 2005.

#### **In the claims:**

Claim 16 (between lines 10 and 11)- insert the following language:

- the supplementary reinforcement comprises at least two groups each formed of at least two strips that extend in the circumferential direction;

#### ***Allowable Subject Matter***

2. Claims 1-4 and 6-21 (renumbered 1-20) are allowed. The following is an examiner's statement of reasons for allowance:

The closest prior art of record is Kawamura (US 4,953,605)- as best depicted in Figure 7, Kawamura teaches a pneumatic tire construction having a supplementary reinforcement structure comprising a first and second group, wherein said first group is defined by at least two inside reinforcing layers or strips 7 and second group is defined by at least two outside reinforcing layers or strips 6. It is evident from Figure 7 that (a) strips within each of the above noted groups have a substantial degree of overlap as

Art Unit: 1733

required by the claimed invention and (b) strips have a width that is substantially the same as the width of the group and thus, each strip has a width that satisfies the claimed invention. In this instance, though, the claim requires that the respective strips have an overlap that is at most equal to 40 percent of the width of the strip- as depicted in the figures, the strips of Kawamura have an overlap that is substantially equal to 100 percent of the width of the strip. One of ordinary skill in the art at the time of the invention would not have found it obvious to form a tire having the specific supplemental reinforcing structure of the claimed invention.

Regarding claim 16, the layers or strips of Kawamura are plies as compared to layers formed by winding a reinforcing element or a strip in successive turns. The claimed structure in which successive turns are overlapped is significantly different than the ply structure of Kawamura and one of ordinary skill in the art at the time of the invention would not have found it obvious to form the supplementary reinforcement of Kawamura in accordance to the claimed invention.

With respect to claim 20, the tire of Kawamura does not contain a rubber layer having the claimed modulus between the carcass and the supplementary reinforcement- as depicted in Figure 7, the supplementary reinforcement located on the inside of the carcass is positioned directly adjacent the carcass and one of ordinary skill in the art at the time of the invention would not have found it obvious to include the claimed layer in the claimed location.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

Art Unit: 1733

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Justin R. Fischer** whose telephone number is **(571) 272-1215**. The examiner can normally be reached on M-F (7:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on (571) 272-1226. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Justin Fischer

December 8, 2005